

A Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, May 14, 2012 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Wiegman	Trustee Gallelli
Village Manager Zambrano	Trustee Schmidt
Village Attorney Staudt	Trustee Murtaugh
Treasurer Bullock	Trustee Raskob

1. CALL TO ORDER:

Mayor Wiegman called the meeting to order at 8:00 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Raskob made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Gallelli and approved with a vote of 5-0.

General Fund	\$295,647.30
Water Fund	17,779.72
Sewer Fund	1,168.84
Capital Fund	98,712.08
Trust & Agency	761.90
Total	\$414,069.84

3. PUBLIC HEARING:

Mayor Wiegman spoke about the genesis of the proposed law which has resulted from a bipartisan group of citizens who came together to study the business conditions in Harmon and came up with recommendations for the improvement of the business district there. Their goal was to make recommendations that would improve the quality of life of residences, improve the business district, and increase the ratable so as to reduce the tax burden on residents. He explained how this project will provide a better environment for residents and businesses and that the expansion of local services would have little negative impact on traffic and would provide additional benefits for the village. Manager Zambrano explained the purpose and process for the public hearing and that each member of the public will have 5 minutes for their comments and questions. No member of the public will be able to speak a second time until all speakers have been heard.

Trustee Schmidt wanted to know who came up with the rules for tonight and were they ever circulated to the staff for review. He was led to believe that these rules were published on another forum as early as last night.

Village Manager Zambrano said that the staff posted these rules on the Village website this morning

Attorney Staudt gave a brief summary of the law.

Trustee Raskob made a motion to open the Public Hearing; Trustee Murtagh seconded the motion with a vote of: 5-0.

Georgiana Grant of 37 Wells Avenue, commended the Board for its diligence and hard work on going through the process and she felt that all the questions that could be answered now have been answered. Some questions regarding future potential development can not be answered at this time. She urged the Board to adopt the proposal.

Ed Gemola of 84 Benedict Boulevard asked the Board if there will be additional permit parking, driveway easements, and tax guidelines for owners, sprinkler waivers, and how many years will the special permit be good for. He is generally in favor of mixed use.

Eileen Henry of Albany Post Road, is in support of the Harmon Plan. She has followed this issue for a number of years. This plan attempts to make the less successful side of the road look more like the more successful side of the road. Should the Board decide to move forward with this plan, she hopes that those who oppose think long and hard before filing an Article 78, it is an expensive proposition, just wasted money.

Nicky Morano of 395 South Riverside Avenue a business owner in Croton she has owned Sonny Abbots for 38 years and she relies on retention of clients because there is no walk in traffic where she is located. Adding apartments would increase walk in traffic as well as increase revenue for the village. She would like to add an attractive addition on her building if she is allowed to. She does not think there will be a lot of children. She is in real estate. In Larchmont, Rye and Mamaroneck they have apartments over stores and they thrive.

Joanne Jackson of 16 Daily Drive supports this plan. She believes mixed use results in thriving downtowns in all municipalities. This plan helps the property owner, helps the business owner and helps the resident. She stated Harmon is only 4 blocks and she thinks we should try it.

Corey Williamson of 60 Elmore Avenue, mentioned that this village has been bitterly divided in the past over a number of issues, and now seems to be divided over the Harmon rezoning issue. He believes that most of us want to maintain the historic values that brought citizens here, while increasing the tax base. He is in favor of Local Law 3 and brought forth a petition signed by 95 others who urged the Village Board to pass this law and to work towards the revitalization of Harmon consistent with the parameters of the law. He read the text of the petition.

Elizabeth Giblin, 17 Hastings Avenue, identified 3 key points, environment, ecology and empathy. She feels that empathy should be shown to the residents that live in the area and that if we go forward there will be more traffic, increased density of the population, and possible Section 8 Housing, and views will be blocked. She said keep Harmon ecologically intact. It is not right to have apartments in Harmon.

Kieran Murray, 20 Arlington Drive, identified three existing problems in Harmon; (1) the available space of the existing buildings do not match the demand and space requirements of small businesses, (2) the Village is losing the 25-34 year old demographic, and (3), the current zoning is too restrictive to attract new investment. He feels that the plan will increase commercial tax revenue, increase sales tax revenue, improve residential property values by improving aesthetics, and encourage investors into the Harmon area.

Adam Rothenberg of 98 Old Post Road South is in favor of the Harmon rezoning proposal and feels that mixed use development is a tried and true way to accommodate landlords, tenants and businesses. He applauds the current Harmon business owners who are sticking it out and providing services during tough economic times. He expressed the hope that there would be no further litigation regarding this law in the future.

Robert Armanini, 326 South Riverside Avenue objected by saying that that business owners were never notified of this hearing. He owns Feed the Birds and he has never been consulted. He feels that the rezoning does nothing for him. His site is a perfect business location for him. He does not think his property is underutilized. He does not believe the rezoning will increase retail opportunities. Mr. Armanini handed in opposition letters to the Board which, were previously sent to the Gazette.

Denise Savage, 400 Blinn Road is in favor of the proposed new law. She believes that there are wonderful retail opportunities and this law should provide new retail opportunities. She said she has reviewed the studies which show there will not be a significant number of school children. The original Article 78 had a viable basis for finding fault with the original law. The Board has taken every step under the law to obtain appropriate review and passage of the legislation that is before us. She believes that if a new Article 78 is brought before the Village, it would be nothing less than frivolous. Asks that the Village Board aggressively defend any Article 78 proceeding.

Pat Moran, Hastings Ave., stated that she represents the Article 78 petitioners, and she submitted documents and a cover letter for the record. She stated that there is an injunction in place and is staying in place until any Article 78 petition is resolved. Ms. Moran had wanted to move the process along 2 years ago, but Attorney Staudt had stated that this would be a more efficient way of addressing the case. She was told that the procedural issues would be taken care of and her substantive concerns would be addressed in the next go round. She stated that her substantive issues have not been addressed, and the petitioners have every right to pursue a second Article 78.

Jane Hallock, 50 Oneida Avenue, said that she was not in favor of the plan. She stated that it was unfair for people to be in favor of apartment buildings when they don't live in the area and would not have to live with the increased noise, congestion, and traffic. People in her neighborhood appreciate the quiet and the peacefulness of the area as it is now. She believes the plan will result in too much density, not enough parking and too many apartments.

Andrew Levitt, 6 Cedar Lane believes that Harmon revitalization plan makes sense and that it is supported by the majority of the voters. He doesn't think anyone could be happy with the current state of the Harmon business district. He doesn't think that it has been economically viable for property owners to develop their property under current zoning. He believes that rezoning will increase the business tax base and thus reduce the tax burden on residential property owners. He said no alternative has been presented. He asked the Village Board to pass the law and to defend vigorously any subsequent Article 78.

Debi Braddick, 9 Young Avenue, has enjoyed living in the Harmon area and feels that many who support the rezoning don't live in the area and don't understand the implications the plan might have for nearby residents. She still has questions about the plan, especially about where the shared parking will be and how it will affect the adjoining homeowners.

Alison Feinberg, 65 Truesdale Drive, chose not to speak when her name was called.

Bill Ryder, 3 Cleveland Drive, said on the west side it is a nice area now. The east side does not work. He does not believe the rezoning will result in the business development that its proponents believe will happen. He said that over the 53 years he has lived in Harmon, there have been empty storefronts, but they eventually fill up again. He is not in favor of making any changes.

Ginny Calcutti, 19 Hunter Place likes Harmon just as it is, and would like it left as it is. She doesn't believe the rezoning will result in many new businesses. Ms. Calcutti believes that the vacant storefronts will fill up again without rezoning.

John Perillo, 43 Croton Point Avenue wanted to know what year the current comprehensive plan was adopted and were there recommendations from the consultant that led to the current rezoning proposal. He asked if there are memos from the Planning Board suggesting this. He supports mixed use but also supports well planned development and he is not sure this proposal has been well planned. He is concerned that these changes could ruin the quaintness and charm of Harmon as it is now. He is also concerned about insurance issues for shared parking.

Nance Shatzkin, 132 Old Post Road North is in favor of passing the proposed zoning changes. She believes it would provide incentive to land owners to develop the businesses that the residents want. She believes the zoning changes could lead to both sides of the street to be developed. She said three stories is not massive and that the Village has some 3 story buildings

which are not a blight. She also wanted to state that as President of the Croton Housing Network there are no plans to develop affordable housing on South Riverside Avenue, and she also doesn't think that this area would appeal to other commercial developers of affordable housing.

David Goldman, 76 Young Avenue stated that he is opposed to the Harmon rezoning because he believed that it would lead to increased population density thereby overloading our infrastructure, parking, and the school system. He believed that the proposal would lead to increased residential apartments and not increased businesses. Those opposed were not under any obligation to come up with an alternative. He urged the Board not to pass the plan.

Roseann Schuyler, Olcott Ave., stated that she believes that the public will not be able to change the outcome and she supports the claims of the petitioners' opposing this law; is the law does not address the largest problem, the lack of adequate commercial parking. She also objects to the limitation on the number of bedrooms. She stated that after the law suit was filed, the Board decided to repeal and revise the law and that has taken over 2 years; they are opposed just to this change, not mixed use in Harmon.

Kevin Davis, 17 Wolf Road, stated that he is in favor of this Harmon rezoning; the area has never recovered since Rt. 9 was built which resulted in cyclical vacancies; a good way to help it recover is to pass this law to give property owners more options and it will help people bring in revenue from their properties; there are plenty of people in his age demographic who would be able to stay in Croton if some apartments are built.

Carol Seaver, 29 Franklin Ave., passed on her comment.

Holly Crosbie-Foote, 116 Benedict Blvd., stated that she shares the Board's visions and resources, however, she feels that this plan is not how she thought we were going to revitalize Harmon; this plan is for apartments and offices, not shops and restaurants; parking spaces are limited and up to five people could live in a 1000 square foot apartment and we cannot restrict that; she doesn't know where the Board is getting the numbers for the children that may move in; the tax revenues will be offset by school children; she believes that mixed use is the right thing, but this is not the right plan.

Seanna O'Callaghan, 28 Brook St. and owner of the Green Growler in Harmon, stated that she didn't think it would be controversial to speak out in favor of mixed use in Harmon, but she was personally attacked in a blog and it was hurtful; people should find a way to heal this community; this law will pass and we all have had a say for a long time; she is proud of what she is doing and employs Croton residents; she doesn't think this law will have the impact some think it will; it will increase foot and bicycle traffic; we should not boycott or attack each other even if we do not have the same opinion.

Don Daubney, 45 Bungalow Rd., stated that he feels that Trustee Schmidt is exactly right saying that we do not always get dialog when we come to this Board; the committee was formed to enhance business and it does not seem that that is what is happening; politics did enter into it immediately; buildings going up will not make taxes go down; his taxes did not go down with the golf course, Half Moon Bay and Arrowcrest going up; the few buildings that will go up will not make taxes go down; it is too small an area and should have done it for the whole Village perhaps; parking will be a disaster, it will not work; what we have now can be developed under present zoning; perhaps the committee should be reformed to give the community a new plan.

Vito Divenere, 51 Farrington Road., stated that he is in favor of rezoning Harmon; he watched the budget process and is looking for someone to come in and invest in Croton and help the property values; doing nothing is not the answer.

James R. Moore, 56 Irving Ave., stated that he believes that there is a lot of diversity here in Croton and this is bringing a lot of it out into the open; he suggested why insist on running the Harmon down our throats, why not have a referendum and allow the people to decide.

Elon Schartz, 80 Nordica Drive, passed

Rob Luntz, 4 Hughes St., and Chair of the Planning Board, stated that he and the Planning Board have spent a lot of time on this project; it is the right thing to do for the Village; he personally supports it and the Planning Board is behind it; he thinks the Board should vote for it.

Joanne Minett, 5 Van Cortlandt Place, stated that a lot has been said about revitalization which is what everyone wants in this Village, but a lot of gambling comes with revitalization; mixed use is not her concern, but the way this is doing it is her concern; when children move into any apartments in this area, those parents will not be paying, but homeowners will be paying the taxes; it's a loss; we do not know what will happen, but we need to revitalize by bringing in business; the "what if's" can be really dangerous; this was not a frivolous lawsuit in the beginning and she hopes that the Board has gotten it right.

Phyllis Morrow, 61 Nordica Drive, stated that she is happy that so many have attended tonight, but where were they before at other meetings; why must she FOIL to get an answer; we don't do good diligence and spending the money always comes with a catch; there is no guarantee of revenue coming out of this for years to come; she questioned Saccardi and Shiff report; the numbers don't jive; there are many "why's" that have not been answered.

Anthony Gagliotti, of Young Ave., stated that he is an independent voter and has no ax to grind; he has been here over 80 years and knows what he is talking about; the Village has three shopping areas, but never a really viable shopping area; no one mentions the other areas that have empty stores; the Village code allows 1 apartment with 4 or 5 unrelated people; where do you put these cars if it snows; we will never bring in enough money from one building even if there is just one child living there.

Mark Aarons, 18 Georgia Lane, stated that this development is going to be a round peg in a square hole; there is a parking situation in Harmon that no one wants to deal with; changing to 1 space for 1 bedroom apartment will not help; additional spaces are needed for businesses and additional floors; this has turned into a residential development rather than a commercial development; focus on Upper Grand St. instead; how about a business improvement district; how about tax credits for commercial development; he suggested other ways to take care of Croton instead.

Ellen Brecher, 94 Hasting Ave., a real estate appraiser, stated that she is 100% for revitalizing Harmon and 100% in favor of mixed use; many other towns have stores on the first floor and apartments above and it works out; Dobbs Ferry is one example; she agrees that there a lot of “what if’s” but it is important for everyone to come together and find a solution instead of the discourse happening in the Village.

William Bird, 28 Brook Street, and the Green Growler, stated that he would like to see more people in that area; there are a lot of empty buildings; he could not have survived in other places such as Wonderous Things because of the rent being too high and he believes that the parking will not be a problem and the revitalization plan will help out this area.

Manager Zambrano noted that no more index cards have been submitted and Mayor Wiegman then asked if anyone wanted to speak again and give second comments.

Andy Levitt, 6 Cedar Lane, stated that for a long time people opposed this zoning change because there was too much housing, and later stated that the law was discriminatory because it did not have enough housing; it cannot be both.

Ginny Calcutti, 19 Hunter Place, commented that there is the same problem of empty stores no matter where you go; how do you guaranty what kind of stores; we will still have to travel 20 minutes to go to a clothing store.

Phyllis Morrow, 61 Nordica, stated that she believes you won't see 25 to 35 year old moving into walkups; the Board did not know that there was a FBI mole in Croton prior to Metro Enviro being busted and they say there will be oversight; we should have a plan we think through carefully; we are against bad planning; there are no vacancies in Harmon; she wants to see the documents that say only 4 kids; 25-35 year olds won't walk up to tiny cramped apartments; she believes Harmon is coming around on its own; this is the wrong plan.

Joanna Minett, of Van Cortlandt Place stated that no 25-30 year old, unless they have children, would live in Croton; if they wanted to, they can't afford the rents in Croton and will not live here; families cannot live in Croton or Westchester any more; she knows that this is a done-deal and is prepared for it.

Anthony Gagliotti stated again that he believes the Village code allows 5 unrelated people to live in one apartment and how many cars will that bring in.

Regina Montana, 5 Ackerman Court, stated that if she thought the revitalization plan was going to do what she wants it to do, revitalize business with maybe some residential, she might consider it is worth doing, but thinks the "what ifs" overpower the actual plan and she doesn't have a lot of answers; Rt. 9A runs through this area and she doesn't see how that jives with residential at all; she doesn't see herself sitting in a café and looking out at 9A; we cannot monitor the number of children that may go into these apartments; she thinks we have gotten away from the fact this is for business revitalization; how do we attract these people; it is questionable if this plan will work; try a small area and see what the traffic is like; there is no going back once these buildings go up.

Rob Sparling, 38 Devon Ave., stated that he lives in the Harmon section and there is a parking issue there; this plan sounds like a residential plan and he does not see how it will help the Village tax base; he feels that we need businesses to help with money; he believes the Harmon area looks pretty bad but it is what it is; he would hope the Board will put some civility in this and answer the questions brought forward. We need to know answers.

Mayor Wiegman asked if anyone else wished to speak and no one came forward. He then asked for a motion to close the public hearing.

Manager Zambrano wanted the record to show that he received correspondences both in favor and against this law, including some received the day of the hearing.

Trustee Schmidt wanted to know if the Village Attorney reviewed the Foil appeal filed by Ms. Pat Moran and if her request to have the public hearing remain open until the Foil appeal has been answered.

Attorney Staudt said the original request for certain backup documents was denied but an appeal was filed this afternoon. She requested the public hearing be kept open until the appeal was decided.

Trustee Gallelli inquired if this appeal pending is a basis for keeping the public hearing open at this time.

Attorney Staudt stated that the Foil appeal does not legally prevent the closure of the Public Hearing.

Trustee Gallelli made a motion to close the public hearing , seconded by Trustee Murtaugh with a vote of 4:1 Trustee Schmidt opposed the closing of the public hearing.

Trustee Schmidt stated that he feels that the questions asked by the Public were not answered and there was no discourse. He stated the store vacancies in Harmon are attributed to the actions of the Board. He feels they should clarify and address misstatements made on both sides. He stated he wanted to talk about the purpose of the law, to revitalize business and reduce the tax burden. There will be more residents. There is a problem with them being consistently against automobile related businesses. Trustee Schmidt said this plan does not protect Croton.

Mayor Wiegman stated that there were about 42 total speakers, 8 or 9 of which were opposed to the Harmon Rezoning Law. There were 16 or 17 questions. He said he thought many of the answers are in the documentation. He advised that he would ask the staff to work on getting answers to those questions to the public by the next meeting.

Mayor Wiegman motions for a 5 minute recess, seconded by Trustee Raskob.

3. CORRESPONDENCE:

Village Manager Zambrano read the following correspondence (full text available at the Village Office):

- a) A letter from Grant Mitchell, MD, of the Department of Community Mental Health, Westchester County informing the Village about a new Crisis Prevention and Response Team program that has been added to Westchester County's services for those experiencing psychiatric or emotional crisis.
- b) Pat Calcutti of the Croton Veterans Committee provided information on Memorial Day Service on May 28th

4. CITIZEN PARTICIPATION (agenda items):

No comments

5. APPROVED RESOLUTIONS:

Attorney Staudt advised the Board that they needed to determine if Local Law Introductory No. 3 of 2010(October 2011 version) was consistent with the Village's Local Waterfront Revitalization Program before the Local Law could be passed. He further stated due to the tight time frame that needed to follow; they had to make a determination tonight.

Attorney Whitehead informed the Board that the Waterfront Advisory Committee has issued a preliminary and final recommendation of consistency in regards to the law and it is now the Boards job to look through all the records and policyies to determine consistency. She asked that Trustee Gallelli lead the process.

Trustee Gallelli stated that the Board has in front of them the preliminary and final letter of recommendation from the Waterfront Advisory Committee and they should start by going over them and then review all 44 polices and sub policies of the Local Waterfront Revitalization Plan and determine if they apply or not apply. She further stated that the Waterfront Advisory Committee reviewed the EAF and the CAF and noted in their preliminary report that policies 1A, 5, 5A, 5C and 11 were applicable. After the Board issued a negative declaration in accordance with SEQRA they requested the Waterfront Advisory Board to make a final recommendation. The WAC determined that there were no changes in the EAF and CAF and that nothing had changed; therefore there were no changes in their recommendations. The Village Board should now review the 44 policies and sub-policies and make its own determination and does not have to agree with the WAC.

Attorney Whitehead pointed out this was a two step process. First they should determine if a policy or sub-policy is applicable to the particular action and, if applicable, is the action consistent with the policy.

Trustee Schmidt asked if the policies are included in their package.

Mayor Wiegman pointed out that under the agenda item is the spread sheet which has been prepared and lists all the policies and sub-policies. Attorney Whitehead also pointed out that the entire LWRP is there as a pdf and also there is a link to the WAC website where the entire LWRP is also available.

Trustee Gallelli then commenced a summary and review of each of the policies. She explained that each of the policies are the state's policies, and the sub-policies are what were added specifically for Croton.

Trustee Gallelli continued that the first policies 1-6 are Development Policies and then read policy 1 and its sub-policies. She pointed out that the WAC had determined that policy 1A was

applicable and that the action was consistent with the policy. The policy states existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies. The Board agreed the policy is applicable and it was discussed it was also an issue reviewed in the process of making the Negative Declaration. Mayor Wiegman, Trustee Raskob and Trustee Murtuagh all agreed with Trustee Gallelli that the action is consistent with the policy. Trustee Schmidt stated he did not believe the action is consistent with the Comprehensive Plan and indicated he disagreed just as he had disagreed with the discussion in the Negative Declaration. The other Board members agreed that policy 1A was applicable and the action was consistent with policy 1A.

Trustee Gallelli summarized policies 1B through 1E, policies 2 and 2A, policy 3 and policy 4 and the reasons why the WAC did not think they were applicable, and the Board reached consensus these were not applicable.

Trustee Gallelli read policy 5 and its sub-policy 5A and indicated the WAC recommended these were applicable and the action was consistent with them as the policies recommend encouraging development to take place in areas where public services and facilities exist and are adequate and, in the sub-policy, specifically water and sewer facilities. It was agreed that public services and facilities and water and sewer exist in Harmon and are adequate and therefore the action is consistent with policy 5.

Trustee Gallelli read policy 5B and it was agreed it is not applicable as no extension of mains is required.

Trustee Gallelli read policy 5C relating to traffic and indicated the WAC said it was applicable and the action was consistent. Trustee Raskob stated that the action and development resulting from it would not be a significant new traffic draw or create any significant new traffic. The Board agreed the action is consistent with this policy.

Trustee Gallelli read policy 6 and the Board agreed it was not applicable.

Trustee Gallelli indicated the next group of policies, 7-10 related to Fish and Wildlife and then read policy 7 and its sub-policies. The Board discussed that it had reviewed fish and wildlife impacts in the Negative Declaration and that there is no significant habitat in Harmon and the area has long been developed. Trustee Schmidt stated that policy 7E may be applicable as it related to runoff from parking areas channeling contaminants potentially into habitat areas and the runoff could go into a tributary of the Croton River. After discussion, the Board agreed policy 7E is applicable but that current regulations require runoff to be retained and treated, and that therefore new development could actually improve the quantity and quality of the runoff and therefore the action is consistent with policy 7E.

Trustee Gallelli read policies 8 through 10 and it was agreed that they were not applicable.

Trustee Gallelli indicated the next group of policies related to Flooding and Erosion. She then

read policy 11 and indicated the WAC had recommended this policy, regarding siting buildings and structures so as to minimize damage to property and flooding and erosion, was applicable and that the action was consistent with the policy. The Board discussed that there are no mapped flood zones in Harmon such that buildings in this area would create a flooding hazard, and that new development would be subject to stormwater and erosion control regulations. The Board agreed the policy is applicable and the action is consistent with the policy.

Trustee Gallelli read policies 12 through 18 in this group and the Board agreed all were not applicable.

Trustee Gallelli indicated the next group of policies, 19 through 26, relate to Public Access. She then read policies 19 through 24 and the Board agreed that they were not applicable. She then read policy 25, with the WAC had determined was not applicable, and its various sub-policies relating to “protecting, restoring or enhancing natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.” After discussing each of the sub-policies the Board agreed that sub-policy 25A is applicable although it referred to “identified resources” which is further discussed in the discussion in the LWRP, and none of the referenced identified resources are impacted by the action. The Board agreed there are scenic resources and referenced the discussion in the negative declaration, and the height limitations and other provisions to determine there would be no significant impact on scenic resources. Trustee Schmidt stated he did not agree, and did not agree with this discussion in the Negative Declaration as well, and that he believes views could be blocked by new buildings. A majority of the Board agreed the action was consistent with sub-policy 25A. The Board agreed the remaining sub-policies 25B through 25D were not applicable.

Trustee Gallelli then pointed out that policy 26 relates to agricultural uses and the policy itself states it is not applicable in Croton.

Trustee Gallelli stated the next group of policies, 27-29, relate to Energy and Ice Management. She then read each of these policies and the Board agreed they are not applicable.

Trustee Gallelli stated the last group of policies relate to Water and Air Resource Policies. She read policies 30, 31 and 32 and the Board agreed they were not applicable. She then read policy 33 and its sub-policies. The Board agreed that policy 33, in particular sub-policy 33A, relating to stormwater flows and the use of BMP's and stormwater retention to prevent impacts to coastal waters, could be applicable, and in fact was applicable. They found the action to be consistent with the policy and sub-policy as BMP's must be used and any development must be in conformance with the current stormwater regulations which require retention and control of flows to avoid adverse impacts.

Trustee Gallelli then read through the remaining policies 33B through 44 and with each the Board agreed they were not applicable.

Mayor Wiegman summarized that after review of the 44 policies, the Board agreed with the WAC (Waterfront Advisory Committee) recommendations that policies 5, 5A 5C and 11 were

applicable and the action was consistent with each and added 7E, 25A and 33A as applicable policies with which the action was consistent.

Trustee Gallelli made a motion that the Village Board makes a determination that the proposed action which is the adoption of Local Law Introductory Number 3 of 2010 (October 2011 version) complies with the policy standards and conditions set forth in the Village's LWRP based on the preliminary and final recommendations from the Waterfront Advisory Committee and discussion at tonight's meeting, and we request the Village Attorney and consultants to draft findings for our subsequent approval.

Motion by: Trustee Gallelli

Seconded by: Trustee Murtaugh

Ayes: Gallelli, Murtaugh, Raskob and Wiegman

Nays: Schmidt

b) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Raskob, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York: with a vote of 5-0

WHEREAS, Dvirka and Bartilucci has prepared a proposal to continue to assist the Village in maintaining compliance with the NYSDEC Phase II Storm Water regulations and General Permits; and

WHEREAS, Dvirka and Bartilucci proposes the following four Tasks

- (1) Prepare 2012 Storm Water Management Program Annual Report for submittal to NYSDEC
- (2) Public Storm Water Knowledge Assessment Survey
- (3) Municipal Operation and Facilities Self Assessment Demonstration
- (4) Continuation of Outfall Inspections

WHEREAS, the total cost of these 4 tasks comes to \$8,500, and

WHEREAS, the Superintendent of Public Works recommends that the Village proceed with all 4 tasks,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the proposal from Dvirka and Bartilucci for storm water management assistance for all 4 tasks at a total cost of \$8,500,

AND BE IT FURTHER RESOLVED; that this amount should be charged to Account #A8140.4000.

c) On motion of TRUSTEE Raskob, seconded by TRUSTEE Schmidt, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, the Agreement between Holy Name of Mary Parish and the Village for the use of the parking lot near Vassallo Park will expire on May 31, 2012; and WHEREAS, a new five-year agreement has been drafted which will expire on May 31, 2017,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the agreement with the Holy Name of Mary Parish for the use of the parking lot near Vassallo Park.

d) On motion of TRUSTEE Schmidt, seconded by TRUSTEE Gallelli, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, the Village of Croton on Hudson hereby acknowledges and supports the Historic Hudson River Town's grant submission to the Greenway Compact Grant Program for partial funding for a project entitled "HudsonRiver.com: Online Regional Itinerary Building" ; and,

WHEREAS, the Historic Hudson River Towns has historically operated on an Inter-municipal level to assist and promote a member municipality's tourism and economic development activities; and,

WHEREAS, the grant application for implementation projects require that at least 50% of the member municipalities that benefit from the grant are Greenway Compact Communities.

THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Croton-on-Hudson hereby does approve of the Historic Hudson River Towns grant application under the Greenway Compact Grant Program for a project knows as "HudsonRiver.com: Online Regional Itinerary Building."

e) On motion of TRUSTEE Raskob, seconded by TRUSTEE Schmidt, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, repairs were made to a police vehicle that was damaged; and

WHEREAS, the Village submitted an insurance claim for damages and payment was received;
and

WHEREAS, the Village Treasurer wishes to open both sides of the General Fund budget to record the receipt and subsequent disbursement associated with insurance recoveries; amending the 2011-2012 General Fund budget as follows:

GENERAL REVENUE	
Increase A1000.2680	\$1,449
GENERAL EXPENSES	
Increase A3120.4710	\$1,449

NOW THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to amend the 2011-2012 General Fund budget to reflect these changes.

f) On motion of TRUSTEE Raskob, seconded by TRUSTEE Gallelli, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, construction repairs and mold remediation were made to the Utility Room and Recreation Community Room on the first floor of the Municipal Building due to a water leak; and

WHEREAS, the Village submitted an insurance claim for damages and payment was received; and

WHEREAS, the Village Treasurer wishes to open both sides of the General Fund budget to record the receipt and subsequent disbursement associated with insurance recoveries; amending the 2011-2012 General Fund budget as follows:

GENERAL REVENUE	
Increase A1000.2680	\$12,717
GENERAL EXPENSES	
Increase A1620.4000	\$12,717

NOW THEREFORE BE IT RESOLVED, that the Village Treasurer is authorized to amend the 2011-2012 General Fund budget to reflect these changes.

g) On motion as amended by TRUSTEE Murtaugh by TRUSTEE Raskob, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, at the work session of August 22, 2011, the Village Board was presented with a Recruitment and Retention Budget by the Croton EMS Lt. Mark Dickey on behalf

of the Croton EMS membership, and

WHEREAS, such presentation and budget included a comprehensive plan to recruit new members and retain existing membership, and

WHEREAS, on September 19, 2011 the Board of Trustees approved funding not to exceed \$16,500 for the proposed Recruiting and Retention Program for the Croton EMS, and

WHEREAS, due to unforeseen circumstances, members of the Recruitment and Retention Committee will not be able to complete the program within fiscal year 2011-2012, but are currently working on the program and foresee the Recruitment and Retention Program will overlap fiscal years, and

WHEREAS, in order to make the existing funding available beyond the current fiscal year, it would be beneficial to establish a capital project to allow the Recruitment and Retention Committee to work and develop a program.

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees authorizes the Village Treasurer to transfer \$16,500 from the General Fund Account A4540.4030 to a Capital Fund account to be established exclusively for the Croton EMS Recruitment and Retention Program, and

BE IT FURTHER RESOLVED: that all material developed for this program be submitted to the Village Board for review, and all expenditures be approved by either the Village Manager or the Director of Emergency Management.

h) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Raskob, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, WML Aquatics, LLC (WML) is desirous of renting Silver Lake Park for one day on May 20, 2012 to conduct Water front Bridge classes, and

WHEREAS, WML has submitted a letter detailing the program's prerequisites and requirements, and

WHEREAS, the Village's Recreation supervisor recommends that the Village make Silver Lake Park available to WML for the purpose of providing Waterfront Bridge Classes in accordance with the National American Red Cross Standards, and

WHEREAS, WML will pay to the Village of Croton on Hudson a 25% commission calculated on the fee of \$275 per person, and

WHEREAS, in order to be effective, the minimum number of students will be five (5) and the maximum number will be twenty (20), and

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees authorizes the Village Manager to sign the attached agreement with WML Aquatics, LLC for the rental of Silver Lake Park on May 20, 2012 for the purpose of conducting Waterfront Bridge classes and other lifeguard, CPR or other Waterfront certifications .

i) On motion of TRUSTEE Raskob, seconded by TRUSTEE Schmidt, the following resolution was adopted by the Board of Trustees of the Village of Croton-on-Hudson, New York with a vote of 5-0.

WHEREAS, the curbing for the access road at the entrance of the Silver Lake Park has been in disrepair for some time; and

WHEREAS, Paladino Concrete Creations Corporation was awarded the contract for the Village's sidewalk improvement program for sidewalks and curbs; and

WHEREAS, Paladino Concrete Creations Corporation has submitted an estimate in the amount of \$9,593.88;

NOW THEREFORE BE IT RESOLVED: that the Village Manager hereby authorizes Paladino Concrete Creations Corporation to repair curbing for the access road at the entrance to the Silver Lake Park in the amount of \$9,593.99

AND BE IT FURTHER RESOLVED: that this amount should be charged to the following account: H7140-210306135

AND BE IT FURTHER RESOLVED: that the Village Treasurer is hereby authorized to transfer \$5,000 from account A7310-1100 to account H7140-210306135.

6. APPROVAL OF MINUTES:

Trustee Murtagh made a motion to postpone the approval of the meeting minutes to the next session due to the time, The motion was seconded by Trustee Raskob and approved with a vote of 5-0

7. CITIZEN PARTICIPATION (non-agenda items):

None

Manager Zambrano said that Con Edison approached the Village to let them know that they will be rolling out a program to all the municipalities in Westchester County that are

Con Edison customers. Specifically for Croton and the Town of New Castle, we will be assigned 4 liaisons who will be in direct contact with Con Edison and have crews report directly to them. These liaisons will get to know the Village inside and out and be onsite in the event of an emergency. Manager Zambrano said that a meeting took place last week with Con Edison and Manager Zambrano gave them a list of items to be included in this program. Manager Zambrano also mentioned to please call Con Edison in the event of any outage, not just the Village.

Trustee Schmidt said that the Croton Conservation Advisory Council will be holding their Green Living Series again. This lecture will be given by Mr. Brendan Murphy who will speak about the Croton woodlands and how it is underseige by deer. He also reports that Summerfest will be held on June 3rd and that it is their 26th year. Applications are still available for vendor space if anyone is interested. He also added that Memorial Day will be celebrated on Monday, May 28th at 11am.

Trustee Raskob thanked everyone for being civil and kind to each other during the meeting. He feels this was the best of Croton.

Trustee Gallelli thanked everyone for coming out and reading material that was provided to the public.

Trustee Murtagh wanted it to go on record that the Village had nothing to do with Nappy's or Croton Dodge. The Village did not stop them and it was due to a tenant/landlord situation. He does not want to reopen and his rights were protected.

Trustee Murtaugh made a motion to adjourn. Trustee Schmidt seconded the motion; approved unanimously. The meeting was adjourned at 1:15am

Respectfully submitted,

Renee Makras, Secretary

Village Clerk